

All corrections to notes on this calendar must be filed no later than 12 P.M. (noon) on 2-18-05. Documents filed after this time will not be reviewed before the hearing and will likely result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VC VS00143

CASE NAME: MTR OF NICHOLAS JOSEPH HARRY SMITH

HEARING:

Hearing Re: FOURTH ACCTING.

COUNSEL:

NOREEN SMITH (PET)..
NICHOLAS JOSEPH SMITH (CEP)..
ELENA ARMSTRONG (CEP)...DEBRA S POPINEAU

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. § 2620.2

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VC VS00263

CASE NAME: MTR OF CHARLES G GOLDSBOROUGH

HEARING:

Hearing Re: PETN FOR ATTORNEY FEES.

COUNSEL:

WILLIAM L MARTIN (PET)...LYNN E ZUMBRUNN
CHARLES G GOLDSBOROUGH (CEP)...JOAN NELMS
SUZANNE DANIELS (CPE)...JANET M HERRING
JOYCE D'ELIA (TP)...DEBRA S POPINEAU

GENERAL INFORMATION: continued from 11-19-04. Nothing new filed.

THIS CASE IS SET FOR HEARING ON petition for attorney fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is court appointed counsel. She requests fees of \$3,777.50. Amount is itemized.
2. It would appear that the Conservatee has sufficient assets to cover this amount in his special needs trust.
3. Objections have been filed by Inland Regional Center to the amount of fees requested. Inland Regional Center indicates that as the assets of the estate consist of \$10,000 in a special needs trust and as the issues were not complicated and as Ms. Nelms is apparently charging for travel from San Bernardino to Victorville to represent a developmentally disabled client (wherein appointment was mandatory), the fees requested are excessive. Ms. Nelms is requesting approximately 38% of the Conservatee's total estate.

RECOMMENDATION:

Matter is contested and should be set down on the contested calendar.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VC VS00263

CASE NAME: MTR OF CHARLES G GOLDSBOROUGH

HEARING:

Hearing Re: PETITION FOR CONSERVATOR & ATTORNEY FEES.

COUNSEL:

WILLIAM L MARTIN (PET)...LYNN E ZUMBRUNN

CHARLES G GOLDSBOROUGH (CEP)...JOAN NELMS

SUZANNE DANIELS (CPE)...JANET M HERRING

JOYCE D'ELIA (TP)...DEBRA S POPINEAUGENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON petition for fees for Conservator and attorney fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This petition is filed by the former Conservator and attorney for the former Conservator.
2. Attorney is requesting fees of \$2,700 plus costs of \$136.70. Amount is only generally itemized. Court may wish a more specific itemization. Counsel alleges that the fees are based on 13.5 hours at \$200 per hour. Do not see itemization for costs.
3. Former Conservator requests fees of \$1,200. The declaration of the Conservator at paragraph 3 makes no sense. See blue tab in file. Court may wish to order clarification. At any rate the petitioner alleges that he spent either 52 hours or 120 hours at \$10 per hour. As he is requesting \$1,200 it would appear that the correct figure would be 120 hours, but that is not necessarily what the Conservator says.
4. This matter was continued from 12-10 to be heard in conjunction with the matter on the preceding page.

RECOMMENDATION:

Court should require a more detailed itemization by counsel. Court should require petitioner to clarify paragraph 3 of his declaration.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VC VS00421

CASE NAME: MTR OF JOHN F BRISCOE

HEARING:
Accounting Review

COUNSEL:

JOHN E BRISCOE	(PET)...	CALDWELL, KENNEDY & PORTER, A.
FELY ROSE S BRISCOE	(PET)...	CALDWELL, KENNEDY & PORTER, A.
JOHN F BRISCOE	(PCE)...	JOHN C SPAHN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required the court shall cause notice to be given to conservator or guardian and attorney. The court shall set the accounting for hearing within 60 days. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. § 2620.2

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VC VS153

CASE NAME: IN THE MATTER OF GLEN EDWARD WODETZKI

HEARING:

Hearing Re: ACCOUNTING.

COUNSEL:

GLEN EDWARD WODETZKI (PCE)...

DOROTHY REBENSTORF (PET)...PRO/PER

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VC VS98

CASE NAME: IN THE MATTER OF KENNETH WHITAKER

HEARING:
Accounting Review

COUNSEL:

HAROLD G JOHNSON (PET)...PRO/PER
KENNETH WALKER (CEP)...

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01498

CASE NAME: GUARDIANSHIP OF OCEAN GLENN ROSENBAUM

HEARING:

Hearing Re: ACCOUNT & REPORT.

COUNSEL:

MYRA MARTINEZ (PET)...DIXIE J ALLISON

OCEAN GLENN ROSENBAUM (MIN)...

GENERAL INFORMATION: covers 10-2-03 through 10-1-04.

THIS CASE IS SET FOR HEARING ON Accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service.
2. Petitioner is not seeking compensation.
3. Attorney is not seeking compensation.
4. The inventory and appraisal and the accounting shows that the minor has no assets. Court may wish to inquire if continued guardianship of the estate is really necessary.

RECOMMENDATION:

Inquire as to the continued necessity of the guardianship of the estate. Recommended for approval subject to number 1. . Set hearing for the next account for 1-5-07, to cover the period of 10-2-04 through 10-1-06. Accounting to be filed 30 days in advance.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01759

CASE NAME: MATTER OF IRIS ESTELLE GREENHILL

HEARING:

Petition for Appointment of Guardian

COUNSEL:

CAROL ZELLER	(PET)...	PRO/PER
IRIS ESTELLE GREENHILL	(MIN)...	KERRIE C JUSTICE
TIMOTHY GREENHILL	(OBJ)...	STEPHEN P LEVINE
TINA GREENHILL	(STEPHEN P LEVINE)...STEPHEN P

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01759

CASE NAME: MATTER OF IRIS ESTELLE GREENHILL

HEARING:

Petition for Appointment of Guardian

COUNSEL:

CAROL ZELLER	(PET)...	PRO/PER
IRIS ESTELLE GREENHILL	(MIN)...	KERRIE C JUSTICE
TIMOTHY GREENHILL	(OBJ)...	STEPHEN P LEVINE
TINA GREENHILL	(STEPHEN P LEVINE)...STEPHEN P

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01808

CASE NAME: MATTER OF MERCEDES & LORRAINE SALAS

HEARING:

Petition for Appointment of Guardian

COUNSEL:

FRANCISCO GUIZAR (PET)...PRO/PER

DIANA P GUIZAR (PET)...PRO/PER

MERCEDES SALAS (MIN)...

LORRAINE SALAS (MIN)...

GENERAL INFORMATION: Temporary letters issued 1 -3-05.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by brother and sister-in-law, minors 8 and 7.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service per order prescribing notice.
2. Matter referred to F.C.S. We are awaiting report.

RECOMMENDATION:

None.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01818

CASE NAME: MTR OF DOROTHY L GRAHAM

HEARING:

Petition for Appointment of Guardian

COUNSEL:

DORIS L DONEZA (PET)...PRO/PER

DOROTHY L GRAHAM (MIN)...

GENERAL INFORMATION: Temporary letters issued 1 -19-05.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by maternal grandmother, minor 14.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service per order prescribing notice.
2. The order prescribing notice indicates that the father and the paternal grandparents are unknown. However, the birth certificate indicates that Michael Chaffey is the father.
3. Court may wish to review confidential screening form.

RECOMMENDATION:

None.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01819

CASE NAME: MTR OF MEAGAN NICOLE BODY & MICHAEL D BODY

HEARING:

Petition for Appointment of Guardian

COUNSEL:

DENNIS BODY (PET)...PRO/PER
VERONICA BODY (PET)...PRO/PER
MEAGAN NICOLE BODY (MIN)...
MICHAEL DOUGLAS BODY (MIN)...

GENERAL INFORMATION: Temporary letters issued 1 -20-05.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by paternal grandparents, minors 11 and 10.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of personal service on parents.
2. File notice of hearing and proof of mailed service on maternal grandparents and Court Investigator.
3. Petitioner alleges that the minors receive money from social services. Are they requesting permission to apply for assistance from the D.P.S.S.?
4. Court may wish to review confidential screening form.

RECOMMENDATION:

None.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01820

CASE NAME: MTR OF ALEX GONZALES

HEARING:

Petition for Appointment of Guardian

COUNSEL:

PAMELA MORGAN (PET)...PRO/PER

ALEX GONZALES (MIN)...

GENERAL INFORMATION: Temporary letters issued 1 -20-05.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by maternal grandmother, minor 2 months.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that the father is unknown. File certified copy of birth certificate. If not listed court should then dispense notice to father and paternal grandparents.
2. File notice of hearing and proof of personal service on mother.
3. File notice of hearing and proof of mailed service on maternal grandfather and Court Investigator.
4. Court may wish to review confidential screening form.

RECOMMENDATION:

None.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01821

CASE NAME: MTR OF KARISSA GRDJAN

HEARING:

Petition for Appointment of Guardian

COUNSEL:

MARY HOOPER (PET)...DAVID & TURNER
KARISSA GRDJAN (MIN)...

GENERAL INFORMATION: Temporary letters issued 1 -24-05.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by maternal grandmother, minor 11.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service per order prescribing notice. Court has dispensed notice to father on the basis that he is waiving notice. However, a review of the file shows that father did not sign the consent and waiver. Judge to decide if notice should be required to father.
2. Court may wish to review confidential screening form.

RECOMMENDATION:

None.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 02/25/05 TIME: 8:30 DEPT: V12G

CASE #: VG VS01822

CASE NAME: MTR OF MARQUIE & MIQUIE WEISSENBERG

HEARING:

Petition for Appointment of Guardian

COUNSEL:

NATHANIEL JOHNSON (PET)...PRO/PER
HILDEGARD JOHNSON (PET)...PRO/PER

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002444

CASE NAME: ESTATE OF FABIAN GUTIERREZ

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

ANITA L GIANGRECO	(PET)...	JULIA M WOOD
FABIAN GUTIERREZ	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has been filed.

RECOMMENDATION:

Matter may go off calendar.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002455

CASE NAME: ESTATE OF RICHARD GLEN WASS

HEARING:

Hearing Re: PETN FOR STATUS REPORT ETC.

COUNSEL:

GLEN MICHAEL WASS (PET)...PRO/PER

RICHARD GLEN WASS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON first and final report on waiver of account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive accounting.
2. Petitioner has corrected the inventory and appraisal. It now appears to properly reflect assets.
3. Statutory fees are \$8,828.36.
4. Petitioner requests reimbursement of costs advanced in the amount of \$1,314.20. Amount is itemized.
5. Petitioner requests that court order the clerk to sign a quit claim deed concerning the real property of the estate, so that the asset is turned over to the beneficiaries. However, this is not the procedure for transfer of the asset. Suggest the petitioner seek legal advice on this issue.

RECOMMENDATION:

Court deny request to transfer real property by way of clerk signed quit claim deed. Otherwise recommended for approval. Set hearing for filing of receipts and final discharge order for 4-7-06.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002513

CASE NAME: ESTATE OF DOROTHY MAE PAGE

HEARING:

Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:

ROBIN R WALTON (PET)...RANDALL & ASSOCIATES
DOROTHY MAE PAGE (DEC)...

Address 13925 Spruce St., Hesperia
Petitioner does not provide APN#

Appraised value \$110,000 **Need reappraisal for sale.**

Sale price \$230,000

First overbid \$242,000

Deposit \$23,000

Commission 5%

Additional bond \$150,000

Reason for sale Pay debts, expenses, taxes and devises.

Exposure to market Multiple listings.

Notice Published and proof of service of notice.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002519

CASE NAME: ESTATE OF VIOLET P DILLEY

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

JOY D BEUM	(PET)...DANIEL G. MCMEEKIN
VIOLET P DILLEY	(DEC)...
ROY L DILLEY	(PET)...PAUL P HENDERSON

GENERAL INFORMATION: This petition filed by Joy Beum. Continued from 12-10-04.
Court ordered Attorney Henderson to file original will immediately. This order was in
response to a petition to produce the will. A competing petition for probate is found on the
next page of this calendar.

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Roy E. Dilley is named in the will, but not on attachment 9. File supplemental.

RECOMMENDATION:

See next page.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002519

CASE NAME: ESTATE OF VIOLET P DILLEY

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

JOY D BEUM (PET)...DANIEL G. MCMEEKIN

VIOLET P DILLEY (DEC)...

ROY L DILLEY (PET)...PAUL P HENDERSON

GENERAL INFORMATION: this petition is filed by Roy L. Dilley and **request that he and Joy Beum be named co-executors. Joy Beum has not consented to serve in this capacity.**

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. It should be noted that the will calls for both Dilley and Beum to serve as co-executors.
2. File proof of publication.
3. Need consent to act by Joy Beum.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 8-19-05. Set hearing for filing of status report and/or accounting for 4-7-06. Any accounting to be filed 30 days in advance.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002527

CASE NAME: MATTER OF NAOMI I DOREI TRUST

HEARING:

Hearing Re: PETN FOR ORDER CONFIRMING SUCCESSOR TRUSTEE.

COUNSEL:

LAURA MITCHELL	(PET)...	DAVID W BROWN
NAOMI I DOREI	(DEC)...	

GENERAL INFORMATION: continued from 12-17-04. Nothing new filed.

THIS CASE IS SET FOR HEARING ON order confirming successor trustee and petition confirming specific assets as assets of the trust.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Notice of hearing and proof of service on all beneficiaries.
2. Article 5, Section 5.01 names Laura M. Downs as first successor trustee upon the death of the decedent. Is petitioner and Laura M. Downs, one and the same person?
3. According to the trust document, the trust beneficiaries are the decedent's two children, and one granddaughter. However, the petition indicates that the petitioner is the sole beneficiary of the trust. File verified supplement explaining discrepancy.
4. The Declaration of Trust refers to Exhibit "A" as listing all of the property to constitute the trust. Further, in Article 2, the Trust specifically distributes property located at 22178 Nomwakett Road, Apple Valley to Laura M. Downs. Exhibit "A" lists the Nomwakett Road property. Thus, pursuant to Estate of Heggstad (1993) 16 Cal.App.4th 943, the property can be deemed as belonging to the Trust.

RECOMMENDATION:

Need items 1, 2 and 3.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002538

CASE NAME: ESTATE OF JACK HOWARD DEARDORFF

HEARING:

Hearing Re: PROOF OF DEPOSIT IN BLOCKED ACCOUNT.

COUNSEL:

TASHA CLIFFORD (PET)...CALDWELL, KENNEDY & PORTER, A.
JACK HOWARD DEARDORFF (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON verification of deposit in blocked account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. There is no verification of deposit in blocked account.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on the administrator.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002579

CASE NAME: ESTATE OF THOMAS FLOYD WOLFORD

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

DARLENE M GUEVARA	(PET)...LEAH L DIXON
ROSEMARY COPELAND	(PET)...LEAH L DIXON
THOMAS FLOYD WOLFORD	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to administer, with full I.A.E.A authority and \$130,000 bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests that bond be set in the amount of \$130,000. Appears adequate.
2. Petition appears procedurally complete.

RECOMMENDATION:

Recommended for approval with bond of \$130,000. Set hearing for filing of inventory and appraisal for 8-19-05. Set hearing for filing of status report and/or accounting for 4-7-06. Any accounting to be filed 30 days in advance.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002580

CASE NAME: ESTATE OF WENDY FERNE PHILLIPS

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

SHARON MALEKOW (PET)...JULIA M WOOD
WENDY FERNE PHILLIPS (DEC)...

GENERAL INFORMATION: Order for special letters granted on 12-30-04. No letters have issued, as bond has not been posted.

THIS CASE IS SET FOR HEARING ON Petition to administer, with full I.A.E.A authority and \$10,000 bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File proof of publication.
2. Petitioner is requesting full power under the Independent Administration of Estates Act. Under these circumstances the entire estate must be bonded. Bond must be set in the amount of \$190,000.
3. Notice to Jessica, Jake and Brandon Phillips is sent to them care of petitioner Sharon Malekow. This is not permitted under California Rule of Court, rule 7.51(d). Notice must be sent directly to the minors.

RECOMMENDATION:

If petition granted court will have to set future dates. Set bond in the amount of \$190,000. Set hearing for filing of inventory and appraisal for 8-19-05. Set hearing for filing of status report and/or accounting for 4-7-06. Any accounting to be filed 30 days in advance.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002581

CASE NAME: MATTER OF JOHN WILBUR ARMBRUST

HEARING:

Petition to determine succession to Real Property

COUNSEL:

PHYLLIS ARMBRUST (PET)...JULIA M WOOD
JOHN WILBUR ARMBRUST (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition appears procedurally complete.

RECOMMENDATION:

Recommended for approval.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS00394

CASE NAME: ESTATE OF RHODA M GOMES

HEARING:

Hearing Re: STATUS REPORT AND/OR ACCOUNTING.

COUNSEL:

RHODA M GOMES	(DEC)...
MATTHEW J GOMES	(PET)...CALDWELL, KENNEDY & PORTER, A.
LAWRENCE M GOMES	(PET)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON status accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final report on waiver of account has been filed.

RECOMMENDATION:

This matter may go off calendar. See next matter on calendar.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS00394

CASE NAME: ESTATE OF RHODA M GOMES

HEARING:

Hearing Re: WVR OF ACCOUNT ETC.

COUNSEL:

RHODA M GOMES	(DEC)...
MATTHEW J GOMES	(PET)...CALDWELL, KENNEDY & PORTER, A.
LAWRENCE M GOMES	(PET)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON final report on waiver of account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive accounting.
2. Attorney Kennedy failed to sign the petition. File supplement.
3. Statutory fees are waived.
4. Accounting fails to include statement disclosing any familial/affiliate relationship between fiduciary and agent hired by administrator during accounting period, if any. Pr.C. § 1064. Provide supplement.

RECOMMENDATION:

Recommended for approval subject to numbers 2 and 4. Set hearing for filing of receipts and final discharge order for 4-7-06.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS01997

CASE NAME: ESTATE OF JOSEPHINE MARY TINTARY

HEARING:

Hearing Re: PETN FOR APPROVAL OF COMPROMISE OF CLAIM.

COUNSEL:

PAUL BIELEC JR (PET)...CALDWELL, KENNEDY & PORTER, A.
JOSEPHINE MARY TINTARY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON petition for approval of compromise of claim.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. An action was filed for specific performance in relationship to the sale of real property. The parties to the action propose to settle the claim for \$11,000.
2. Petition indicates that the proposed settlement is attached as Exhibit A. There is no Exhibit A attached to the petition. File supplemental.
3. File notice of hearing and proof of service.

RECOMMENDATION:

Require proof of service and submission of proposed settlement agreement.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02005

CASE NAME: JAMES L. McIE aka JAMES LEONARD McIE

HEARING:

Hearing Re: FILING OF RECEIPTS/FINAL DISCHARGE.

COUNSEL:

DENCIL OLDAKER
JAMES L MCIE

(PET)...SHERRI L KASTILAHN
(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of receipts and final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipts or final discharge order filed. Clerk has given notice.

RECOMMENDATION:

Suggest the court set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on the administrator.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02113

CASE NAME: MATTER OF GERALDINO ROBERTS

HEARING:

Hearing Re: PETN FOR SETTLEMENT OF FIRST & FINAL ETC.

COUNSEL:

CONSTANCE BROWER (PET)...PRO/PER

GERALDINO ROBERTS (DEC)...

JOHN M ROBERTS (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON first and final account and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service.
2. The accounting is not done in accord with Pr.C. § 1060 et seq.
3. The summary of account does not balance. Likely because the petitioner failed to use the summary of account chart in section 1061 of the probate code.
4. File the document showing what charges were expended in the sale of the house.
5. File a schedule showing disbursements.
6. The property on hand schedule appears to reveal that there was \$20,050 in cash assets and an automobile that were never listed on the inventory and appraisal. File verified supplemental explaining this. Also why is no value attributed to the car?
7. The property on hand schedule says that the fair market value of the house is \$118,666, however the petition indicates that the appraised value of the property was \$90,000 and sold for \$105,000 and that after the mortgage was paid off there was only \$79,000 left. Where did the extra money come from? File verified supplement explaining.
8. Accounting fails to include statement disclosing whether all cash assets have been invested in interest bearing accounts/investments. Pr. C. § 1064. Provide supplement.

9. Accounting fails to include statement disclosing any familial/affiliate relationship between fiduciary and agent hired by administrator during accounting period, if any. Pr.C. § 1064. Provide supplement.
10. Did decedent's predeceased spouse receive health care benefits under the provisions of Chapter 7 or 8, part 3, division 9 of the Welfare and Institutions Code? File supplemental.
11. File a schedule showing any receipts of additional assets into the estate.
12. Because the summary of account does not balance and as the property on hand for the estate is not clear, the amount of statutory fees due is not clear.
13. File bank statements supporting assets on hand.

RECOMMENDATION:

Matter will need to continue for clearing of notes.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02118

CASE NAME: ESTATE OF MARY AUDREY JOHNSON

HEARING:
Accounting Review

COUNSEL:
RICHARD CHARLES JOHNSON JR (PET)...PRO/PER
MARY AUDREY JOHNSON (DEC)...

GENERAL INFORMATION: Continued from 11-19-04. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of accounting/status

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The status report/accounting has been continued from 11-19-04 with no status report or accounting being filed. The hearing on filing of the inventory and appraisal has been continued 4 times without the filing of an inventory and appraisal.
2. The court has relieved counsel for the petitioner and petitioner is now a self represented litigant.

RECOMMENDATION:

As petitioner does not appear to be making any effort to comply with court's orders it would appear time to set the matter for O.S.C. re removal. Issue a citation and have it personally served. There is not bonding company to notice.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02118

CASE NAME: ESTATE OF MARY AUDREY JOHNSON

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

RICHARD CHARLES JOHNSON JR (PET)...PRO/PER

MARY AUDREY JOHNSON (DEC)...

GENERAL INFORMATION: see preceding page.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02155

CASE NAME: ESTATE OF REGINALD PETER ROBERTS, JR.

HEARING:

Hearing Re: PETN TO AMEND ORDER ON FIRST & FINAL ACCT.

COUNSEL:

GLORIA ROBERTS (PET)...WILKINSON & WILKINSON
REGINALD PETER ROBERTS JR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON petition to amend final order on first and final.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The court has already approved the first and final report and has indicated how the assets are to be distributed. However, 3 of the beneficiaries are minors and the court did not indicate how the proceeds were to be distributed to the minors. The petitioner requests that the court amend the order of distribution and include a requirement that the assets to be distributed to the minors be placed in an interest bearing blocked account. This would appear to an appropriate order.

RECOMMENDATION:

Recommended for approval absent objection.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02160

CASE NAME: ESTATE OF BONNIE FEAGLEY

HEARING:
Accounting Review

COUNSEL:

PEGGY JACOBS BROCK (PET)...TODD M PETERSON
BONNIE FEAGLEY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. A status report has been filed indicating that the estate is not in a condition to close due to the need to sell real property.
2. File notice of hearing and proof of service in accord with Pr. C. § 12201. Whenever a status report is filed without an accounting notice must indicate a right to an accounting in accord with Pr. C. § 10950. This form of notice is mandatory. The notice of hearing filed does not comply with the requirements of 12201.

RECOMMENDATION:

Recommended for approval subject to the filing of proper notice. If petition granted court will have to set future dates. Set hearing for the next status report and/or account for 4-7-06. Any accounting to be filed 30 days in advance. Estate to remain open until that time.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02218

CASE NAME: ESTATE OF ANNABEL V. STIRSMAN

HEARING:

Hearing Re: STATUS REPORT ON WVR OF ACCT & PETN FOR FINAL DIST.

COUNSEL:

ANN TOMKO (PET)...DEBRA S POPINEAU
ANNABEL V STIRSMAN (DEC)...

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02218

CASE NAME: ESTATE OF ANNABEL V. STIRSMAN

HEARING:
Accounting Review

COUNSEL:
ANN TOMKO (PET)...DEBRA S POPINEAU
ANNABEL V STIRSMAN (DEC)...

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02240

CASE NAME: MTR OF FELLY FAMILY TRUST

HEARING:

Hearing Re: MOTION TO BE RELIEVED AS COUNSEL.

COUNSEL:

DAVID L FELLY

(PET)...STANLEY W HODGE

JUDIE A FELLY

(DEC)...

BARBARA TUXEN

(OBJ)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON motion to be relieved as counsel of record.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the attorney for the trustee Barbara Tuxen. Petitioner alleges that Ms. Tuxen refuses to communicate with her.
2. Matter is scheduled for 2-22-05 for trial. If matter goes to trial as scheduled it would appear that this matter may be concluded before this petition can be heard.
3. There is not opposition in the file at the time of this review.

RECOMMENDATION:

Court's discretion.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02255

CASE NAME: ESTATE OF EDITH B PROCTER AKA

HEARING:

Accounting Review

COUNSEL:

FRANCINE BALCOM	(PET)...	LUNDBERG & BAXTER LLP
EDITH B PROCTER	(DEC)...	
CAROL JEAN PROCTER	(TP)...	PRO/PER
PENNY PROCTER-NEWMAN	(PRO/PER)...PRO/PER
THOMAS ALLEN PROCTER	(PRO/PER)...PRO/PER

GENERAL INFORMATION: No file available for review.

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02270

CASE NAME: ESTATE OF ELIZABETH LOUISE HAYES AKA BETTY HAYES

HEARING:

Hearing Re: FIRST & FINAL ACCT & REPORT ETC.

COUNSEL:

MICHAEL HAYES (PET)...ROBERT E KNUDSEN
ELIZABETH LOUISE HAYES (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON first and final report on waiver of account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive accounting.
2. Did decedent's predeceased spouse receive health care benefits under the provisions of Chapter 7 or 8, part 3, division 9 of the Welfare and Institutions Code? File supplemental.
3. There is a specific bequest to Anthony Hayes that began to draw interest on 9-20-04. The interest is not allowed for in the petition. File verified supplement.
4. Petitioner alleges that the assets on hand are cash and the real property listed. Either indicate actual amount of cash or the account where the cash is held. Court must have some method of identification.
5. Statutory fees are \$5,873.91. Attorney requests reimbursement of costs in the amount of \$641.50. Amount is itemized.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of receipts and final discharge order for 4-7-06.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02301

CASE NAME: ESTATE OF JACQUELINE RAE WRIGHT

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DIANA LEE NEWCOMB (PET)...DEBRA S POPINEAU
JACQUELINE RAE WRIGHT (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has been filed.

RECOMMENDATION:

Matter may go off calendar.

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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE RUFUS L YENT

DATE: 02/25/05 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02356

CASE NAME: ESTATE OF LEROY CHARLES LABARRE

HEARING:

Hearing Re: INVENTORY AND APPRAISAL.

COUNSEL:

NICHOLAS LABARRE JR (PET)...DAVID W BROWN

LEROY CHARLES LABARRE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed. The clerk has given notice.

RECOMMENDATION:

Suggest the court suspend powers and set the matter for an O.S.C. re failure to file required documents and sanctions. Issue a citation and have it personally served on the administrator.